

REMARKS/ARGUMENTS

Claims 1, 6, 26, 29, 30, 32, 34, 35, 38, and 39 are pending. Claims 49-53 are canceled herein without prejudice or disclaimer from further prosecution. Reconsideration of the application is respectfully requested

I. Non-Statutory Double Patenting

I.A. Claims 1 and 32

The Office Action rejects claims 1 and 32 under the judicially created doctrine of obviousness-type double patenting as obvious over claims 6, 21, and 25 of prior US Patent 7,395,527. A terminal disclaimer, submitted herewith, obviates this non-statutory double patenting rejection. Accordingly it is respectfully requested that the rejection of claims 1 and 32 be withdrawn.

I.B. Claims 1 and 32

The Office Action provisionally rejects claims 1 and 32 under the judicially created doctrine of obviousness-type double patenting as obvious over claims 2, 10, and 20 of patent application 10/675,778. The abandonment of application 10/675,778 on or about October 29, 2009, renders the provisional rejection of claims 1 and 32 moot. Accordingly, it is respectfully requested that the provisional rejection of claims 1 and 32 be withdrawn.

I.C. Claims 1 and 32

The Office Action rejects claims 1 and 32 under the judicially created doctrine of obviousness-type double patenting as obvious over claims 3 and 17 of prior US Patent 7,373,637. A terminal disclaimer, submitted herewith, obviates this non-statutory double patenting rejection of claims 1 and 32 under the doctrine of non-statutory double patenting. Accordingly, it is respectfully requested that the rejection of claims 1 and 32 be withdrawn.

I.D. Claims 6, 34, and 43

The Office Action provisionally rejects claims 6, 34, and 43 under the judicially created doctrine of obviousness-type double patenting as obvious over claims 4, 12, and 20 of patent application 10/675,721. The abandonment of patent application of 10/675,721 on or about February 20, 2009, renders the provisional rejection of claims 6, 34, and 43 moot. Accordingly, it is respectfully requested that the provisional rejection of these claims be withdrawn.

I.E. Claims 1 and 32

The Office Action provisionally rejects claims 1 and 32 under the judicially created doctrine of obviousness-type double patenting as obvious over claims 1, 12, and 23 of co-pending patent application 10/682,385. A terminal disclaimer, submitted herewith, obviates the provisional rejection of claims 1 and 32. Accordingly, it is respectfully requested that the provisional rejection of claims 1 and 32 be withdrawn.

II. 35 U.S.C. § 103, Obviousness

The Office Action rejects claims 49-53 under 35 U.S.C. § 103(a) as obvious over *Gover et al.* (“*Gover*”), US Patent 5,752,062, in view of Admitted Prior Art (“*APA*”). The cancellation of claims 49-53 in this Response from further prosecution renders the rejection of these claims under this code section moot. Accordingly, it is respectfully requested that the rejection of claims 49-53 as obvious over *Gover* and the *APA* be withdrawn.

III. Conclusion

The Response at bar addresses all outstanding rejections and the subject application is now in condition for allowance, a notice of which is respectfully requested.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid any further prosecution of this application.

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Respectfully submitted,

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